



Atty. Dkt. No. 040302-0453

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tadashi MATOBA
Title: FUEL CELL SYSTEM AND FUEL CELL
OPERATING METHOD
Appl. No.: 10/520,518
Filing Date: 1/7/2005
Examiner: Crepeau, Jonathan
Art Unit: 1745
Confirmation Number: 5843

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Documents A1 through A3 listed on the attached PTO/SB/08 were cited in a Japanese Office Action issued in a counterpart Japanese application on July 25, 2006. According to an English translation of the Japanese Office Action obtained by Applicant's representative, the Japanese Patent Office made certain characterizations of the references. A copy of the Japanese Office Action and the English-language translation thereof is attached.

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these characterizations should not be construed as an admission of or agreement with the opinions expressed in the Japanese Office Action.

Documents A1 and A4 listed on the attached PTO/SB/08 were cited in a Korean Office Action issued in a counterpart Korean application on July 28, 2006. A copy of the Korean Office Action is attached.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicant has endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: September 20, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

By

A handwritten signature in dark ink, appearing to read 'GL', is written over a horizontal line.

Glenn Law
Attorney for Applicant
Registration No. 34,371

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | |
|--|---|-------------------|---|
| Substitute for form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | |
| Date Submitted: September 20, 2006 | | | |
| (use as many sheets as necessary) | | | |
| Sheet | 1 | of | 1 |
| Application Number | | 10/520,518 | |
| Filing Date | | 1/7/2005 | |
| First Named Inventor | | Tadashi MATOBA | |
| Group Art Unit | | 1745 | |
| Examiner Name | | Unassigned | |
| Attorney Docket Number | | 040302-0453 | |



U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|----------------------|---|--|--|--|
| | | Number | Kind Code ² (if known) | | | |
| | | | | | | |
| | | | | | | |

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Application Document | | Name of Patentee or Applicant of Cited Document | Filing Date of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|-------------------------------------|---|--|--|--|
| | | Serial Number | Kind Code ² (if known) | | | |
| | | | | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|--|--|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | A1 | JP | 2002-289237 | A | TOYOTA MOTOR CORP | 10-04-2002 | | ABS |
| | A2 | JP | 61-260553 | A | HITACHI LTD | 11-18-1986 | | ABS |
| | A3 | JP | 1-186761 | A | FUJII ELECTRIC CORP RES & DEV LTD | 07-26-1989 | | ABS |
| | A4 | JP | 2001-229941 | A | NISSAN MOTOR CO LTD | 08-24-2001 | | ABS |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
|-----------------------|--------------------------|--|----------------|
| | | | |
| | | | |
| | | | |
| | | | |

| | | | |
|-----------------------|--------------------|--------------------|------------|
| Examiner Signature | /Jonathan Crepeau/ | Date Considered | 03/25/2008 |
|-----------------------|--------------------|--------------------|------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.